

SENATE BILL 2146

By Finney L

AN ACT to amend Tennessee Code Annotated, Title 40,  
Chapter 35, Part 3, relative to eligibility for  
probation.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 40-35-303, is amended by deleting subsection (a) and substituting instead the following:

(a)

(1) A defendant shall be eligible for probation under the provisions of this chapter, if the sentence actually imposed upon the defendant is ten (10) years or less or pursuant to § 40-36-106(e)(3).

(2) A defendant shall not eligible for probation under the provisions of this chapter, if convicted of a violation of:

(A) Aggravated kidnapping under § 39-13-304;

(B) Aggravated robbery under § 39-13-402

(C) Rape under § 39-13-503;

(D) Aggravated sexual battery under § 39-13-504;

(E) Statutory rape by an authority figure under § 39-13-532;

(F) Aggravated child abuse and aggravated child neglect or endangerment under § 39-15-402; or

(G) A controlled substances violation under § 39-17-417(b) or (i).

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.